



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,221	05/26/2000	Sung-Soo Lee	P56056	8252

8439 7590 03/10/2004

ROBERT E. BUSHNELL  
1522 K STREET NW  
SUITE 300  
WASHINGTON, DC 20005-1202

EXAMINER

PARK, CHAN S

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/580,221

Applicant(s)

LEE, SUNG-SOO

Examiner

CHAN S PARK

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 5, 8-10, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kujirai et al U.S. Patent No. 6,278,524 (hereinafter Kujirai).

With respect to claim 1, the Kujirai reference teaches a method of controlling transmission of fax data according to a data output order of a receiving part, the method comprising the steps of:

scanning and storing a document into data to be transmitted from a facsimile of a transmitting part to a facsimile of said receiving part;

dialing a predetermined telephone number of said receiving part when said document is completely scanned;

requiring and receiving said data output order by said transmitting part from said receiving part after the telephone number of said receiving part is dialed (col. 7, lines 61-62 & col. 8, lines 6-10); and

transmitting said stored document data according to said received data output order (col. 8, lines 61-64).

Note that after the transmitting part (host computer) acquires the currently set state of the receiving part (printer), the spool file manager 304 reads out the print data from storage 303 in the order of the logical pages. Referring to the figs. 5 & 11, when the type of paper discharge of the receiving part is face up, the spool file manager of the transmitting part computes and reads out the last page first thus inherently transmits the last page first.

Note that the Kujirai reference describes and explains its invention based on a communication system between a host computer and a printer. However, the Office interpreted that the invention not only applies between the PC and the printer but also can be applied between two facsimile machines since the inventors teach that their invention can be applied to facsimile machines (col. 15, lines 64-67).

Having taught of the communication method by the Kujirai reference, the methods of scanning, storing, and dialing a predetermined telephone number of a receiving part are inherently performed in the facsimile communication system. Furthermore, since the reference teaches the method of notifying the transmitting part (host computer) of the currently set state of the receiving part (printer) prior to the print data transmission, dialing the receiving part by the transmitting part must be done before requiring and receiving the currently set state information.

Therefore, the Kujirai reference teaches all limitations of claim 1.

Additionally, the Examiner submits a copy of an Ogura invention (U.S. Patent No. 4,876,609) as an example of a facsimile communication system. The reference discloses a facsimile system for scanning, storing documents to be transmitted (fig. 3),

and dialing a predetermined telephone number of a receiving facsimile to set up a line (col. 9, lines 22-24). Furthermore, the reference discloses a method of acquiring a receiving capability (DIS) of receiving part prior to the data transmission (col. 9, lines 25-30).

2. With respect to claim 2, the Kujirai reference teaches the method of claim 1, further comprising the step of displaying said data output order received from said receiving part (col. 4, lines 51-54 and figs. 11 & 12).

With respect to claim 3, the Kujirai reference teaches the method of claim 1, with said data output order being either a face down way or a face up way, said face down way being said stored document data outputted in order from a first page to a last page of said stored document data, said face up way being said stored document data outputted in reversed order from a last page to a first page of said stored document data (col. 8, lines 6-17 & lines 61-66). Note that after the transmitting part acquires the currently set state of the receiving part, the spool file manager 304 reads out the print data from storage 303 in the order of the logical pages. Referring to the figs. 5 & 11, when the type of paper discharge of the receiving part is face up, the spool file manager of the transmitting part computes and reads out the last page first thus inherently transmits the last page first.

3. With respect to claim 5, the Kujirai reference teaches the method of claim 1, with said scanned document data being managed in a unit of a page and being stored in a memory of said transmitting part (col. 8, lines 16-18).

Art Unit: 2622

4. With respect to claim 8, arguments analogous to those presented for claims 1 and 2, are applicable. Furthermore, it is inherent, in facsimile communication, to check whether said call between said transmitting part and said receiving part is connected. Again, the Examiner provides a copy of the Ogura invention that uses a method of checking the connection (fig. 6).

5. With respect to claim 9, arguments analogous to those presented for claim 7, are applicable.

6. With respect to claim 10, arguments analogous to those presented for claim 3, are applicable.

7. With respect to claim 13, arguments analogous to those presented for claims 1 and 2, are applicable. Furthermore, it is inherent, in facsimile communication, to have a modem connection for the data transmission. Also, a communication loop of the public telephone network having a ring and a tip and interface signals of said modem is commonly used in the facsimile communication system. Additionally, the Examiner submits a copy of a Manning invention (U.S. Patent No. 5,528,385) as an example of the described facsimile communication system. Refer to figs. 2A-C.

8. With respect to claim 14, arguments analogous to those presented for claim 3, are applicable.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kujirai as applied to claim 1 above, and further in view of Ogura U.S. Patent No. 4,876,609.

9. With respect to claim 4, the Kujirai reference discloses all limitations of claim 1 including the method of sending a predetermined bit of data to report said data output order (col. 8, lines 6-17 & 61-67). The method of notifying transmitting part of the current state of the receiving part by sending a bit of data is an inherent method in digital communication. However, it does not disclose expressly if both transmitting and receiving parts supports a non-standard mode.

The Ogura reference, on the other hand, discloses a facsimile system for scanning, storing documents to be transmitted (fig. 3), and dialing a predetermined telephone number of a receiving facsimile to set up a line (col. 9, lines 22-24). Furthermore, the reference discloses a method of acquiring a receiving capability (DIS) of the receiving part prior to the data transmission (col. 9, lines 25-30) wherein both transmitting and receiving parts supports a non-standard mode (col. 11, lines 55-58).

Kujirai and Ogura are analogous art because they are from the same field of endeavor, which is facsimile art.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of acquiring output order based on the current state of the receiving part taught by Kujirai with the non-standard mode in a facsimile system taught by Ogura.

The suggestion/motivation for doing so would have been to execute the sending of current state of the receiver supported by non-standard mode thus informing the transmitting part of the current state of the receiving part before the facsimile data transmission takes place (col. 11, lines 55-58 of Ogura).

Therefore, it would have been obvious to combine Kujirai and Ogura to obtain the invention as specified in claim 4.

Additionally, the Examiner also provides a copy of an Ogura invention (U.S. Patent No. 4,876,609) as an example of a facsimile communication system. The reference discloses a facsimile system for scanning, storing documents to be transmitted (fig. 3), and dialing a predetermined telephone number of a receiving facsimile to set up a line (col. 9, lines 22-24). Furthermore, the reference discloses a method of acquiring a receiving capability (DIS) of receiving part prior to the data transmission (col. 9, lines 25-30).

10. With respect to claim 6, the Kujirai reference discloses all limitation of claim 1. However, it does not disclose expressly that said requiring of said document order is made during Phase B of a facsimile transmission wherein Phase B is a sequence of

checking states of said transmitting part and a transmission line and controlling said transmitting part among a plurality of predetermined protocols used in transmission and reception of facsimile data.

Ogura, the same field of endeavor of facsimile transmission, teaches that requiring the status is made during Phase B of a facsimile transmission wherein Phase B is a sequence of checking states of said transmitting part (DIS) and a transmission line and controlling said transmitting part among a plurality of predetermined protocols used in transmission (CFR) and reception of facsimile data (col. 9, lines 22-40 & fig. 6).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to apply the Ogura transmission method in the Kujirai invention to check and create proper communications between two facsimile machines.

Additionally, the Examiner also provides a copy of an Ogura invention (U.S. Patent No. 4,876,609) as an example of a facsimile communication system. The reference discloses a facsimile system for scanning, storing documents to be transmitted (fig. 3), and dialing a predetermined telephone number of a receiving facsimile to set up a line (col. 9, lines 22-24). Furthermore, the reference discloses a method of acquiring a receiving capability (DIS) of receiving part prior to the data transmission (col. 9, lines 25-30).

11. With respect to claim 7, the Kujirai reference discloses all limitation of claim 1. However, it does not disclose expressly that said dialing a predetermined telephone number of said receiving part being automatic.

Ogura, the same field of endeavor of facsimile transmission, teaches the method of automatic dialing of predetermined telephone number of said receiving part (col. 12, lines 45-59).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to save the facsimile data in the memory of the transmitting part first and dial the telephone number of the receiving part to get the receiving functions of the receiving part before the facsimile data transmission.

Additionally, the Examiner also provides a copy of an Ogura invention (U.S. Patent No. 4,876,609) as an example of a facsimile communication system. The reference discloses a facsimile system for scanning, storing documents to be transmitted (fig. 3), and dialing a predetermined telephone number of a receiving facsimile to set up a line (col. 9, lines 22-24). Furthermore, the reference discloses a method of acquiring a receiving capability (DIS) of receiving part prior to the data transmission (col. 9, lines 25-30).

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kujirai as applied to claim 10 above, and further in view of Ogura U.S. Patent No. 4,876,609.

12. With respect to claim 11, arguments analogous to those presented for claim 4, are applicable.

13. With respect to claim 12, arguments analogous to those presented for claim 5, are applicable.

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kujirai as applied to claim 10 above, and further in view of Ogura U.S. Patent No. 4,876,609.

14. With respect to claim 15, arguments analogous to those presented for claim 4, are applicable.

15. With respect to claim 16, arguments analogous to those presented for claim 5, are applicable.

16. With respect to claim 17, arguments analogous to those presented for claim 6, are applicable.


**Contact Information**

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp  
March 8, 2004

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600